

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. CR-22-47-Raw

JESSIE LEE HOPKINS,

Defendant.

ORDER

Now before the Court is the Government's Motion to Dismiss (Doc. No. 67), filed October 19, 2022. The Government states that, following the Supreme Court's holding that the federal government and the State of Oklahoma have concurrent jurisdiction to try non-Indians who commit crimes against Indians in Indian Country, *see Oklahoma v. Castro-Huerta*, ___ U.S. ___, 142 S. Ct. 2486 (2022), the Sequoyah County Office of the District Attorney is able and willing to reassume prosecution of Defendant for the conduct that resulted in her federal indictment. The Government represents that Defendant is a non-Indian, that the alleged victim is an Indian, and that Defendant is not opposed to the relief requested.

Having considered the parties' argument and the circumstances of this matter, the Court finds that dismissal is in the public interest and that the Motion should be and is hereby GRANTED. *See Fed. R. Crim. P. 48(a); Rinaldi v. United States*, 434 U.S. 22, 29 n. 15 (1977); *United States v. Romero*, 360 F.3d 1248, 1251 (10th Cir. 2004).

IT IS THEREFORE ORDERED that Count Two of the Indictment (Doc. No. 2) filed March 22, 2022, charging Defendant Jessie Lee Hopkins with violation of Title 18, United States Code, Sections 1151, 1152, and title 21, section 843.5(B) of the Oklahoma Statutes, is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 21st day of October, 2022.



HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE